

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36781 of 2021

Arising Out of PS. Case No.-339 Year-2019 Thana- LALGANJ District- Vaishali

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ASHOK RAY Son of Late Binda Rai Resident of Village - Salempur, P.S.-
Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-01-2022 Heard Mr. Abhishek Kumar, learned counsel for

the petitioner and Md. Anzarul Haque, Sahara, learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with

Lalganj P.S. Case No. 339 of 2019 registered for the offence

punishable under Section 30(a) of the Bihar Prohibition and

Excise Act, 2016.

Police intercepted a Motorcycle and recovered a

total quantity of 35 litres of country made liquor from the

arrested arrested co-accused Mukesh Kumar.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused. He further submits that no illicit liquor has been recovered either from conscious possession of the petitioner or the vehicle belonging to him. Petitioner is in custody since 13.01.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is not the owner of the Motorcycle from where the illicit liquor has been recovered, he is in custody since 13.01.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 339 of 2019.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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